

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FILED
U.S. DISTRICT COURT
DISTRICT OF MASS.
2005 MAY 20 P 1:4b

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| UNITED STATES OF AMERICA, f/b/o N.B. KENNEY COMPANY, INC. |) | U.S. DISTRICT COURT DISTRICT OF MASS. |
| Plaintiff |) | No. 05-10383-MLW |
| v. |) | |
| ROADS CORPORATION, AND UNITED STATES FIDELITY AND GUARANTY COMPANY, Defendants |) | |

**JOINT MOTION TO ENLARGE THE TIME TO ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S COMPLAINT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, the Plaintiff, United States of America f/b/o N.B. Kenney Company, Inc. ("N.B. Kenney") and the Defendants Roads Corporation ("Roads") and United States Fidelity and Guaranty Company ("U.S. Fidelity") (collectively referred as the "Defendants")¹ respectfully request that this Honorable Court issue an Order to enlarge the time up to and including June 30, 2005, to file an Answer or otherwise respond to N.B. Kenney's Complaint in this action.

As grounds for this Motion, the Defendants state as follows:

1. The Parties jointly agree to enlarge the time to file an Answer or otherwise respond to the Complaint;
2. An extension of time is warranted as the Parties have reached a tentative agreement regarding the disposition of the case, which may obviate the need for the

¹ N.B. Kenney, Roads and U.S. Fidelity are referred collectively herein as the "Parties."

Defendants to file a responsive pleading and/or result in dismissal of the litigation. The Parties are currently finalizing the agreement.

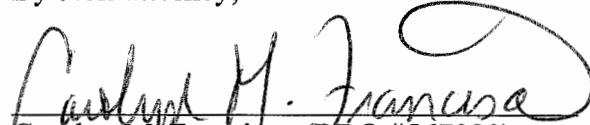
3. Neither, the Parties nor this Honorable Court will be prejudiced by an extension of time as discovery has not commenced and no pre-trial hearings or conferences have been scheduled.

WHEREFORE, the Parties respectfully request that this Honorable Court grant the Defendants up to and including June 30, 2005, in which to file an Answer or otherwise respond to the Complaint in this action.

Respectfully submitted,

**UNITED STATES OF AMERICA
f/b/o N.B. KENNEY COMPANY, INC.**

By their attorney,



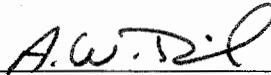
Carolyn M. Francisco (BBO #567090)
Corwin & Corwin LLP
One Washington Mall
Boston, MA 02108
(617) 742-3420

Dated: May 19, 2005

Respectfully submitted,

**ROADS CORPORATION and
UNITED STATES FIDELITY AND
GUARANTY COMPANY**

By their attorney,


Andrew W. Daniels (BBO #552435)
HINCKLEY, ALLEN & SNYDER, LLP
28 State Street
Boston, MA 02109
(617) 345-9000

Dated: May 17, 2005

CERTIFICATE OF SERVICE

I, Andrew W. Daniels hereby certify that on this 19 day of May, 2005, I served a true and accurate copy of the foregoing by first-class mail, postage prepaid on all counsel of record.

A.W.Dil